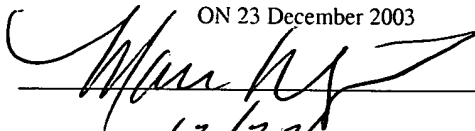




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Attorney Docket No. B45070-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Friede, et al. 23 December 2003
Serial No.: 09/819,464 Group Art Unit No.: 1648
Filed: March 28, 2001 Examiner: Z. Lucas
For: VACCINES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This paper is in response to the Office Action dated July 29, 2003, having a shortened statutory period for reply of 1 month. Claims 1-49 are pending in the application. Claims 1-49 are subject to a restriction requirement and/or election requirement.

Restriction to one of the following is required under 35 U.S.C. § 121 and 372:

- Group I. Claims 1-34, drawn to adjuvant compositions, and immunogenic compositions and vaccine compositions comprising such, classified in class 424, subclass 278.1.
- Group II. Claims 35-38, 45 and 46, drawn to methods of treating animals susceptible to pathogenic infections, classified in class 424, subclass 184.1.

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- Group III. Claims 39-42, 45 and 46, drawn to methods of treating animals suffering from cancer with an immunogenic composition, classified in class 424, subclass 277.1.
- Group IV. Claims 43, 44 and 49, drawn to processes of making a vaccine composition, classified in class 424, subclass 278.1.
- Group V. Claims 47 and 48, drawn to a method of stabilizing against alkali mediated hydrolysis, or reducing the reactogenicity of QS21, by adding excess sterol to the adjuvant, classified in class 514, subclass 23.

For each of Groups I-IV above, restriction to one of the following is also required under 35 USC 121. Therefore, election is required of one of Groups I-V, and, if one of Groups I-IV is elected, of one of inventions (A) or (B). The inventions of (A) and (B) represent the elected invention where the antigen is:

- (A) an antigen against a pathogenic infection; or
- (B) a tumor antigen.

For Group A above, restriction to one of the following is also required under 35 USC 121. Therefore, election is required of one of Groups I-V, and, if appropriate, to one of Groups (A) or (B) and, if Group (A) is elected, then election is also required to one of the pathogens identified in claim 32.